

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ANTONIO MOSS BEY,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:20CV981
	)	
KEITH STONE,	)	
	)	
Respondent.	)	
	)	
	)	

ORDER

On December 1, 2020, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. Petitioner filed Objections [Doc. #5] within the time limit prescribed by Section 636, and a later Supplement [Doc. #6] to the Objections. The Court has reviewed Petitioner's Objections and Supplement de novo and finds that they do not change the substance of the United States Magistrate Judge's Recommendation [Doc. #3], which is affirmed and adopted.

In the Objections, Petitioner notes some difficulty obtaining the appropriate § 2254 forms. The Court will therefore direct the Clerk to send Petitioner new § 2254 forms and instructions for filing a § 2254 petition, as well as a current application to proceed in forma pauperis.

IT IS THEREFORE ORDERED that this action is dismissed sua sponte without prejudice to Petitioner filing a corrected petition on the proper § 2254 forms which

corrects the defects set out in the Recommendation, accompanied by either the \$5.00 filing fee or a completed application to proceed in forma pauperis.

IT IS FURTHER ORDERED that the Clerk is directed to send Petitioner § 2254 forms, instructions, and a current application to proceed in forma pauperis.

This the 11th day of August, 2021.

/s/ N. Carlton Tilley, Jr.  
Senior United States District Judge